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ART. I, § 8. The patent law limits the grant of a patent to a term of seventeen years. See REV. STAT. § 4884. It requires that the application shall contain a full description of the invention so that any one may use it after the patent expires. See REV. STAT. § 4888. If an inventor postpones his application for a patent, profiting by his invention in the meantime, in order to extend the time of his monopoly beyond the period provided for by the patent law, it is clear that it is not within the policy of patent legislation to aid him in carrying out this purpose by granting him a patent when he can no longer keep the invention secret. See *Pennock v. Dialogue*, 2 Peters (U. S.), 1, 19; *Kendall v. Winsor*, 21 How. (U. S.) 322, 328. See also 1 BLACKSTONE, COMMENTARIES, 87. Compare with this the case of the prolonged use of a device for purpose of experimentation and improvement, which is held not to forfeit the right to a patent. *Kendall v. Winsor, supra*; *Elizabeth v. Pavement Co.*, 97 U. S. 126.

PLEADING — PARTIES — JOINDER — STATUTORY PROVISION FOR JOINDER OF DEFENDANT IN THE ALTERNATIVE. — A Rhode Island statute provides that "whenever in any action the plaintiff is in doubt as to the person from whom he is entitled to recover, he may join two or more defendants with a view of ascertaining which, if either, is liable." Plaintiff joined the X company and the Y company in an action for damages for personal injuries to his wife, suffered in a collision between the X company's car, on which she was a passenger, and the Y company's truck. Negligent management by the servants of each defendant is alleged to have caused the collision. The X company demurred on the ground of improper joinder. *Held*, that the demurrer be sustained. *Besharian v. Rhode Island Co.*, 102 Atl. 807 (R. I.).

The origin of this statute is found in the English Judicature Act of 1873 and in the Supreme Court of Judicature rules. See 36 & 37 VICT. c. 66; SUPREME COURT OF JUDICATURE RULES, Order XVI, Rule 7. Therefore the Rhode Island court went to the English decisions for the construction of their statute. See *Phoenix Iron Foundry v. Lockwood*, 21 R. I. 556, 45 Atl. 546; *Mason v. Copeland Co.*, 27 R. I. 232, 61 Atl. 650. The English rule as it read when Rhode Island adopted its statute was construed not to permit joinder of causes of action. *Sadler v. Great Western Ry. Co.*, [1896] A. C. 450. The immediate result of this decision was a change in Order XVI so as to permit joinder of causes of action, provided they grew out of the same transaction or series of transactions. See THE ANNUAL PRACTICE, 1916, Rules, Order XVI. The inference seems clear that the court had misinterpreted the purpose of the rules, and that the change was made to secure that purpose by removing the limitation imposed by the court. Generally, since the change, the English courts permit joinder of causes of action under Order XVI. *Frankenberg v. Great Western Horseless Carriage Co.*, [1900] 1 Q. B. 504; *Bullock v. London General Omnibus Co.*, [1907] 1 K. B. 264; *Congeladas v. Houlder Bros. & Co.*, [1910] 2 K. B. 354. *Contra*, *Thompson v. London County Council*, [1899], 1 Q. B. 840. Therefore, if the Rhode Island court had looked at the English law as it had developed, it should have found that the intent was to permit joinder of causes of action under Order XVI. By the decision in the principal case, however, the Rhode Island statute has been denied all effect, for the rule now is that tortfeasors can be joined only if they are joint tortfeasors, which was the common-law rule. See DICEY, PARTIES, Rule 98. It is submitted that no court is justified in thus denying all effect to a statute that is intended to accomplish an end possible of accomplishment. See Roscoe Pound, "Common Law and Legislation," 21 HARV. L. REV. 383.

POLICE POWER — REGULATION OF PROFESSIONS — POWER TO LICENSE CEMENT CONTRACTORS. — A municipal ordinance provided that no person